

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

PGGC PROJECT LLC,

Plaintiff,

-v-

PRESS GLASS NA, INC. ET AL.,

Defendants.

21 Civ. 4947 (PAE)

ORDER OF DISMISSAL


PAUL A. ENGELMAYER, District Judge:

On September 15, 2021, the Court issued an order to show cause why this action should not be dismissed for failure to serve the Summons and Complaint within 90 days after the Complaint is filed. Dkt. 9. On the same day, the Court also issued an order directing plaintiff to file an amended Complaint to allege the citizenship of each constituent person or entity of PGGC Project LLC for the purposes of diversity jurisdiction. Dkt. 8. On September 29, 2021, plaintiff filed a letter motion requesting an extension until November 1, 2021, to amend the Complaint and serve the Summons and Complaint on defendants. Dkt. 10. The Court granted both requests on September 30, 2021. Dkt. 11. As of today, November 8, 2021, nothing on the docket indicates that the Complaint has been amended or that the Summons and Complaint have been served.

Accordingly, under Federal Rule of Civil Procedure 41(b), the Court hereby dismisses this case, without prejudice, for the plaintiff's failure to serve the defendant, and for failure to amend the Complaint to adequately plead subject-matter jurisdiction.

The Clerk of Court is respectfully directed to close this case.

SO ORDERED.



PAUL A. ENGELMAYER
United States District Judge

Dated: November 8, 2021
New York, New York